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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,066	10/10/2001	Terrence A. Brown	48122.020000.US	4709

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EXAMINER

PROCTOR, JASON SCOTT

ART UNIT	PAPER NUMBER
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2123

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/973,066

Applicant(s)

BROWN ET AL.

Examiner

Jason Proctor

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/25/02.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Claims 1-20 have been presented for examination.

Claims 1-20 have been rejected.

Priority

The Examiner acknowledges Applicant's claim for priority under 35 U.S.C. § 119(e) to provisional application 60/238,522 filed on October 10, 2000.

Drawings

1. The drawings are objected to because Figs. 1-16 contain handwritten reference numerals and are therefore informal. Figs. 1-14 have improper shading or are made by a process that does not give satisfactory reproduction characteristics. See 37 CFR 1.84 (l) and (m). Figs. 2-13 have unacceptable copyright notices. See 37 CFR 1.71 and 37 CFR 1.84(s). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the

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drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The use of the trademarks Autodesk® and Volo® View has been noted in this application at paragraph 00030. They should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Interpretation

3. The limitations of claims 5 and 12 appear to describe a standard database query such as a join or union of equipment and inventory records. If this interpretation is incorrect, then further clarification or amendment is respectfully requested.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-20 are rejected under 35 U.S.C. 102(a) as being anticipated by US Patent No. 5,991,759 to Knoblock et al. (Knoblock).

5. Regarding claims 1, 9, and 17, Knoblock teaches a system for tracking telecommunications equipment comprising:

A database of telecommunications equipment (column 2, lines 54-61) referred to as a “product catalog”,

A graphical user interface for providing access to the database (column 3, lines 32-52) including a “drag and drop” interface,

Visual representations of equipment information at a site (column 3, lines 41-65),

Database support for user queries of the database of telecommunication equipment (column 10, line 66 – column 11, line 15),

A report generator (Fig. 1G, reference 119) for extracting and providing reports on the equipment at a site based on the results of a search engine query (column 10, line 66 – column 11, line 15; column 9, lines 12-15),

And a drawing system interfacing with the graphical user interface and the database, referred to as a CADD program (column 15, lines 23-32). It is inherent that a CADD program can print and edit drawings.

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6. Regarding claims 2, 10, and 18, Knoblock teaches that access to the system can be achieved through the internet (column 9, lines 16-39).

7. Regarding claim 3 and 11, Knoblock teaches that the visual representation can be zoomed (column 5, lines 25-32). Knoblock also teaches interfacing with a CADD program (column 15, lines 23-32). Knoblock also teaches implementing the rackface tool and the Administration tool with the Window's® Application Programming Interface (column 8, line 56 – column 9, line 3). It is inherent that the invention taught by Knoblock has features of panning and scrolling.

8. Regarding claims 4 and 12, Knoblock teaches establishing a link between a visual representation of the drawing and the equipment including rack details (column 3, lines 41-65; column 4, lines 6-13; column 4, lines 39-48; column 14, lines 41-51; column 14, lines 59-65).

9. Regarding claims 5 and 13, Knoblock teaches a report generator with exemplary implementations including Microsoft Access or Crystal Reports (column 10, line 66 – column 11, line 15).

10. Regarding claims 6 and 14, Knoblock teaches displaying a visual representation of racks and equipment (column 14, lines 41-51). Fig. 2 is a block diagram depicting a rack, shelves, and modules according to a preferred embodiment of Knoblock's invention (column 5, lines 46-49). Fig. 2 depicts shelves labeled according to letter, which is functionally equivalent to a position number. It is inherent that Knoblock's invention displays a visual representation of the racks and equipment so that the user

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can configure the racks as they would exist in real life, that is to say with the equipment organized according to the shelf label.

11. Regarding claims 7, 15, and 20, Knoblock teaches user security (column 8, lines 9-18).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 8 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Knoblock.

13. Regarding claims 8 and 16, Knoblock does not explicitly teach that access to the database is through a wireless application protocol. However, Knoblock does teach that access can be through the Internet (column 9, lines 16-39).

14. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention, in combination with his own knowledge of the particular art, to combine the well-known concept of wireless application protocols with the teachings of a system for tracking telecommunications equipment, especially in light of Knoblock's teaching of database access through the internet, and especially in light of the nature of the problem to be solved. The telecommunications equipment being tracked in the preferred embodiment of Knoblock is at a remote site or distributed among several

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sites, therefore the portability of a wireless Internet connection would have been obvious. The combination could be achieved by using a wireless Internet connection and protocol in place of the standard Internet protocol as taught by Knoblock.

Conclusion

Art considered pertinent by the examiner but not applied has been cited on form PTO-892.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Proctor whose telephone number is (571) 272-3713. The examiner can normally be reached on 8:30 am-4:30 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin J Teska can be reached on (571) 272-3716. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-3713.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to

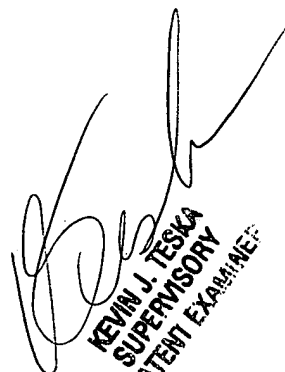
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the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



jsp

Jason Proctor
Examiner
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